

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	Criminal No. 1:15-CR-00309
	:	
v.	:	(Chief Judge Conner)
	:	
JALIL IBN AMEER AZIZ	:	(Electronically Filed)

**MOTION IN LIMINE TO EXCLUDE ANY REFERENCE TO ALLEGED
COMMUNICATIONS BY JALIL AZIZ REGARDING YAZIDI WOMEN**

AND NOW, this 17th day of January, 2017 comes Jalil Aziz by his attorney, Thomas A. Thornton, Assistant Federal Public Defender, and files this Motion in *Limine* to exclude any reference to alleged communications by Jalil Aziz regarding Yazidi women pursuant to F.R.E. 401, 402, and 403. In support thereof it is averred as follows:

1. Trial in this matter is scheduled for February 6, 2017.
2. The government alleges that Jalil Aziz engaged in electronic communications regarding the availability and prices for Yazidi women and girls.
3. In August 2014, ISIS/ISIL began a forced conversion program against the Yazidi people in Northern Iraq. The Yazidi people fled to the Sinjar Mountains where they were surrounded. ISIS/ISIL then began to exterminate the male population if they did not convert to Islam. ISIS/ISIL also captured approximately 3,000 Yazidi women and offered many of them for sale on encrypted smart phone applications.

4. On January 13, 2017, counsel was provided with a preliminary list of alleged electronic communications intended to be introduced at trial.

5. Some of those alleged communications refer to prices and availability of Yazidi women.

6. Pursuant to F.R.E. 401, evidence is relevant if it has any tendency to make a fact of consequence more or less probable than it would be without the evidence.

7. The charges against Jalil Aziz involve providing and attempting to provide material support, solicitation to commit a crime of violence and transmitting a threat to injure. Communications regarding Yazidi women are not relevant to the charges in the Indictment.

8. Pursuant to F.R.E. 402, because the evidence mentioned above is not relevant, it is not admissible.

9. Moreover, even if it was somehow relevant, it should be excluded pursuant to F.R.E. 403 because any probative value it has is substantially outweighed by the danger of unfair prejudice, confusing the issues, misleading the jury, undue delay, and wasting time.

WHEREFORE, it is respectfully requested that This Honorable Court direct the government to exclude any references to alleged communications by Jalil Aziz regarding Yazidi women pursuant to F.R.E. 401, 402, and 403.

Respectfully submitted,

Date: January 17, 2017

/s/ Thomas A. Thornton

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CERTIFICATE OF SERVICE

I, Thomas A. Thornton of the Federal Public Defender's Office, do hereby certify that I served a copy of the foregoing *Motion in Limine to Exclude Any Reference to Alleged Communications by Jalil Aziz Regarding Yazidi Women Pursuant to F.R.E. 401, 402, and 403*, via Electronic Case Filing, or by placing a copy in the United States mail, first class in Harrisburg, Pennsylvania, addressed to the following:

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Date: January 17, 2017

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